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12 *Attorneys for Plaintiff The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for*
13 *the Certificateholders of the CWABS, Inc., Asset-Backed Certificates, Series 2006-15*

14 **UNITED STATES DISTRICT COURT**

15 **FOR THE DISTRICT OF NEVADA**

16 THE BANK OF NEW YORK MELLON
17 F/K/A THE BANK OF NEW YORK, AS
18 TRUSTEE FOR THE
19 CERTIFICATEHOLDERS OF THE CWABS,
20 INC., ASSET-BACKED CERTIFICATES,
21 SERIES 2006-15, a national bank,

22 Plaintiff,

23 vs.

24 SATICOY BAY LLC, SERIES 3409 FLATS,
25 a Nevada limited liability company; FALLS
26 AT HIDDEN CANYON HOMEOWNERS
27 ASSOCIATION, a Nevada non-profit co-op
28 corporation,

Defendants.

CASE NO.: 2:18-CV-00545-JAD-PAL

**STIPULATION AND ORDER TO
DISMISS DEFENDANT FALLS AT
HIDDEN CANYON HOMEOWNERS'
ASSOCIATION**

ECF No. 12

23 Pursuant to Federal Rule of Civil Procedure 41(a), Plaintiff The Bank of New York
24 Mellon f/k/a The Bank of New York, as Trustee for the Certificateholders of the CWABS, Inc.,
25 Asset-Backed Certificates, Series 2006-15 (hereinafter "BNYM") and Defendant Falls at Hidden
26 Canyon Homeowners' Association (hereinafter "Falls at Hidden Canyon") (collectively, the
27 "Parties"), by and through their respective counsel of record, hereby stipulate as follows:

- 1 1. On March 26, 2018, Plaintiff BNYM filed its Complaint in this action naming Falls at
2 Hidden Canyon and other parties as defendants related to a homeowners association
3 foreclosure sale of real property located at 3409 Flats Way, North Las Vegas, Nevada
4 89113; APN 139-09-313-033 (hereinafter “Property”).
- 5 2. The Parties hereby agree that BNYM’s claims against Falls at Hidden Canyon shall be
6 dismissed with prejudice, and BNYM and Falls at Hidden Canyon shall each bear its own
7 costs and fees related to this litigation.
- 8 3. Falls at Hidden Canyon asserts that it does not have a current ownership interest in title to
9 the Property.
- 10 4. Falls at Hidden Canyon specifically reserves its ongoing rights under Nevada law,
11 including NRS Chapter 116, and the governing documents, including the Covenants,
12 Conditions and Restrictions (“CC&Rs”).

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1 5. This dismissal does not affect any rights, claims or defenses of BNYM or Falls at Hidden
2 Canyon with respect to any other party related to the foreclosure sale of the Property.

3 **IT IS SO STIPULATED.**

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5 DATED this 18th day of May, 2018.

6 ZIEVE, BRODNAX & STEELE, LLP

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17 *Mellon f/k/a The Bank of New York, as*
18 *Trustee for the Certificateholders of the*
19 *CWABS, Inc., Asset-Backed Certificates,*
20 *Series 2006-15*

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Homeowners Association

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23 **Case No.: 2:18-CV-00545-JAD-PAL**

24 **ORDER**

25 Based on the stipulation of counsel for Bank of New York Mellon and the Falls at Hidden
26 Canyon Homeowners Association [12], IT IS HEREBY ORDERED that **all claims against**
27 **the Falls at Hidden Canyon Homeowners Association are DISMISSED** with prejudice,
28 each party to bear its own fees and costs. And because the HOA was the only remaining
defendant in this case, **the Clerk of Court is directed to CLOSE THIS CASE.**


U.S. District Judge Jennifer A. Dorsey
Dated: May 21, 2018